

## **Press Release**National Labor Relations Board Office of the General Counsel

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## NLRB ends Borax investigation as union withdraws charges

After 3-month lockout, 570 mine workers approve settlement and contract

As part of a settlement between the union and employer, the National Labor Relations Board has dropped its months-long investigation into unfair labor practice charges at a borates mine in Boron, California.

The employer, U.S. Borax, Inc., a wholly-owned subsidiary of Rio Tinto, locked out about 570 employees represented by the International Longshore and Warehouse Union, Local 30, in late January, after union members rejected a proposed contract. The union had already filed five charges of unfair labor practices with the NLRB, and filed a sixth after the lockout.

After months of mediated negotiations, union members on Saturday ratified a settlement and contract with U.S. Borax, ending the lockout. Terms of the settlement include bonus payments totaling \$2.7 million to affected employees, with the stipulation that all charges pending at the NLRB be withdrawn. Employees were due to begin returning to work today.

Investigators from NLRB Region 31 in Los Angeles conducted a thorough investigation of the charges. Due to the complexity of the case, some issues were sent to the NLRB's Division of Advice in Washington for guidance. The Region also had submitted the matter to the NLRB's Injunction and Litigation Branch to determine whether to recommend that the NLRB seek a federal injunction to end the lockout. Both issues were pending at the General Counsel's office in Washington at the time of agreement.

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.